

FREQUENTLY ASKED QUESTIONS REGARDING CHILDREN IN NEED OF PROTECTION OR SERVICES

TEJ LUG KWS TXEEV NUG TSI TSEG TXUG COV MIVNYUAS KWS YUAV TSUM TAU KEV TIVTHAIV HAB PAABCUAM

Published by:

Marathon County Bar Association Southeast Asian Outreach Committee
State Bar of Wisconsin

With additional contributions from:

Wausau Early Bird Rotary Club
Wausau Area Community Foundation
and
Wausau Area Hmong Mutual Association

This brochure provides information of a general nature regarding legal matters. None of the information contained in this brochure is intended as legal advice or opinion regarding specific matters or issues. If you are confronted with a situation involving issues discussed in this brochure, you should contact an attorney for legal advice. If you feel that you are unable to pay for an attorney, contact the State of Wisconsin Public Defender (Wausau 715-842-1603) or Judicare (Wausau 715-842-1681).

Phoo ntawv nuav qha txug kev cai lijchoj. Cov lug huv phoo ntawv nuav tsi yog tsim lug paab tuav tswvyim lossis muab tswvyim txug ib yaam dlaabtsi ntsigtxug kev cai lijchoj. Yog koj ntsib tej yaam teebmeem kws has txug nyob huv phoo ntawv nuav, koj yuav tsum tau moog nrug kws lijchoj saablaaj. Yog koj xaav tas koj yuav them tsi taug nqe kws lijchoj, ces hu xuvtooj rua Wisconsin Public Defender (xeev Wisconsin lub Rooj Paab Pejxeem Txheem Plaub) huv Wausau ntawm (715) 842-1603 lossis Judicare (Rooj Paab Pejxeem Has Plaub) huv Wausau ntawm (715) 842-1681.

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Introduction

Lug qheb thawj

The Marathon County Bar Association created the Southeast Asian Outreach Committee in September 1999 to better serve the needs of our whole community. Many attorneys volunteered to serve on the Committee. Those attorneys began working quickly. Over a period of several months, the Committee conducted an informal survey of immediate needs in the Southeast Asian Community. With the assistance of the Wausau Area Hmong Mutual Association and several respected members of the Southeast Asian Community, it was determined that the Committee needed to provide the Southeast Asian Community, as well as the whole community in general, with additional information regarding juvenile legal matters. The Committee determined that written brochures on the subjects of juvenile law and children in need of protection or services (CHIPS) was the best approach to satisfy the community needs.

Marathon County Bar Association tau tsim tsaa muaj Southeast Asian Outreach Committee (Rooj Zeem Txug Kev Paabcuam Tsoom Tuabneeg Esxias) lub 9 hli 1999 lug paab saibxyuas txug tej kev cheemtsum muaj nyob huv peb lub zej zog. Muaj ntau tug kws lijchoj tshwj dlaag zug dlawb lug koom uake huv lub committee nuav. Puab maaj nrooj lug leg teg dlejnum nuav. Lub committee nuav tau sojntsuag txug kev cheemtsum tau kev paab ntawm cov tsoom tuabneeg Esxias le ob peb lub hlis uake. Koomhum Moob hab lwm tug huv tsoom tuabneeg Esxias kuj tau nrug saablaaj hab pum tau tas yuav tsum muaj ntawv qha txug cov cai lijchoj tswj mivnyuas rua suavdlawg paub. Lub committee nuav txhaj txavtximsab tas kev sau ib phoo ntawv txug cov cai tswj cov mivnyuas kws yuav tsum tau txais kev tivthaiv hab paabcuam yog ib qhov kws zoo rua lub zej zog.

This brochure summarizes the most frequently asked questions regarding the legal issue addressed at the time of the Committee's survey. This brochure is meant to be a starting point for general inquiries. It is not an exhaustive explanation of legal terms, procedures, or individual rights. This brochure is not intended to provide legal advice. If you are confronted with an issue addressed by this brochure, you should consult with an attorney for specific legal advice.

Phoo ntawv nuav muaj tej lug kws txeev nug txug thaus lub Committee tseem taabtom tshawbseeb txug tej teebmeem kev cai lijchoj. Nwg yog kev npaaj lug siv ua chaw qheb kev sisthaam. Nwg yuav tsi has tau ntxawg ntxawg txug tej lug lijchoj, kaabke lossis tug kheej txuj cai. Phoo ntawv nuav tsi yog tsim lug tuavxaam txug kev cai lijchoj. Yog koj ntsib tej yaam kws phoo ntawv nuav has muaj, tsimnyog koj yuav tsum moog ntsib kws lijchoj txug yaam kws koj ntsib ntawd.

The Southeast Asian Outreach Committee received a Local Bar Competition Grant from the State Bar of Wisconsin to assist in the funding of this project. However, many attorneys volunteered extensive hours to complete this brochure. In addition, the Wausau Area Hmong Mutual Association provided many volunteers to assist in the translation of often complicated legal terminology. Special thanks also goes to the Wausau Early Bird Rotary Club for its help in assisting the Committee with extensive printing and translating costs. In addition, special thanks

goes to the Wausau Area Community Foundation for their generous grant which has made it possible to publish a very large number of the brochure for wider use.

Southeast Asian Outreach Committee tau kev paab nyajtxag lug ntawm Local Bar Competition Grant kws tuaj huv Wisconsin lub Rooj Paab Pejxeem Txheem Plaub tuaj txhaws tej nujnqes ua teg dlejnnum nuav. Txawm le ntawd los, muaj coob tug kws lijchoj tseem tshwj dlaag zug dlawb lug paab tsim phoo ntawv nuav hab. Ntxiv ntawd, Koomhum Moob Wausau los kuj tau paab txhais tej lug ntsigtxug cai lijchoj kws nyuaj nuav. Ua tsaug tshwjxeeb rua lub koomhum Wausau Early Bird Rotary Club kws tau paab txhawm tej nqe luam hab txhais. Dihau le ntawd, uatsaug tshwjxeeb rua Wausau Area Community Foundation kws tau paab nyaj lug ntawm lub sab dlawbpaug txhaj luam tau phoo ntawv nuav kuas ntau txaus siv.

The members and honorary members of the Southeast Asian Outreach Committee for the year 1999-2002 are:

Tsoom tswvcuab hab cov muaj meejmom huv lub Rooj Zeem Txug Kev Paabcuam Tsoom Tuabneeg Esxias rua xyoo 1999-2002 yog:

Shane W. Falk, Chairperson
Michael K. Moran
Shane VanderWaal
Scott Corbett
Steve VanHoof
Peter Yang
Shu Blong Her
Don Hermanson
John Shull
David Groose
Anne Jacobson
John Jokela

FREQUENTLY ASKED QUESTIONS REGARDING CHIPS PROCEEDINGS TEJ LUG KWS TXEEV NUG TSI TSEG TXUG CHIPS TEJ KAABKE

WHAT IS CHIPS OR JIPS? CHIPS LOSSIS JIPS YOG DLAABTSI?

CHIPS or JIPS are abbreviations or acronyms for the following English phrases “Child In Need of Protection or Services” and “Juvenile In Need of Protection or Services”.

CHIPS lossis JIPS yog lug paivtaub rua lu lug kws has tas “Child In Need of Protection or Services” hab “Juvenile In Need of Protection or Services”.

WHAT IS THE PURPOSE OF CHIPS OR JIPS? CHIPS LOSSIS JIPS LUB HOMPHAJ YOG LECAAG?

The purpose of CHIPS or JIPS law is to give the authority to Wisconsin courts to order that county departments of social services provide protection or other services to children. A petition for CHIPS or JIPS can be filed by lawyers for the county department of social services, or law enforcement, or by lawyers for the parents or guardians of children or by lawyers for children. Under this law, the court has the authority to remove children from the home of their parents, if necessary, and require counseling, education, and supervision for both adults and children.

Lub homphaj ntawm cov cai lijchoj rua CHIPS lossis JIPS yog tsocai rua tsev txavtxim huv Wisconsin has rua county department of social services lug muab kev tivthaiv lossis lwmyaam kev paabcuam rua cov mivnyuas. Cov kws lijchoj huv county department of social services, rooj tub ceevxwm, lossis kws lijchoj rua namtxiv lossis tug tsomkwm cov mivnyuas lossis mivnyuas tug kws lijchoj muaj cai sau ntawv thov tej kev paabcuam nuav. Nyob huv txuj cai nuav, tsev txavtxim muaj cai rhu mivnyuas tawm huv namtxiv tsev, yog tsimnyog lawm, hab tseev kuas moog koom kev cob ntuag, kev kawm, hab kev tsomkwm saibxyuas rua cov laug hab cov mivnyuas tuabsi.

WHAT ARE SOME OF THE REASONS THAT A CHILD CAN BE FOUND IN NEED OF PROTECTION OR SERVICES? QHO YAAM KWS QHA TAU TAS TUG MIVNYUAS YUAV TSUM TAU KEV TIVTHAIV LOSSIS KEV PAABCUAM YOG DLAABTSI?

Specifically, under sec. 48.13 of the Wisconsin Statutes, a child can be found in need of protection or services on the following grounds:

Lawv le xeev Wisconsin Txuj cai (Wisconsin Statues) phaaj 48.13 sau has tas, ib tug mivnyuas twg yuav tsum tau kev tivthaiv lossis paabcuam yog muaj le nuav:

1. The child is without a parent or guardian.
Tug mivnyuas tsi muaj nam/txiv lossis tug tsomkwm.
2. The child has been abandoned.

Tug mivnyuas raug povphob, tsi quavntsej txug.

3. The child has been the victim of abuse, including injury which is self-inflicted or inflicted by another.

Tug mivnyuas tau raug tsimtxom, xws le tau raug mob lug ntawm tug kheej lossis lwmtug ua rua nwg raug mob.

4. The child is at substantial risk of becoming the victim of abuse based on reliable and credible information that another child in the home has been the victim of such abuse.

Tug mivnyuas muaj feem kws yuav raug tsimtxom le tau nov txug lawm tas twb yeej muaj lwmtug mivnyuas huv tsev tuabneeg raug tsimtxom lug lawm.

5. The child's parent or guardian signs a petition to the court requesting that the court take action because the parent or guardian is unable or needs assistance to care for the child or provide necessary special treatment or care.

Tug mivnyuas leej nam leej txiv lossis tug tsomkwm tau suamnpe quas zeeg ua ntawv thov tsev txavtxim kuas tsev tswj cai nrug saibxyuas vim namtxiv lossis tug tsomkwm tsi muaj peevxwm lossis yuav tsum tau kev paab tu tug mivnyuas lossis tsimnyog tau kev paabcuam tshwjxeeb lug khu hab tu tug mivnyuas.

6. The child has been placed for care or adoption in violation of the law.

Tug mivnyuas raug tso rua luas saibxyuas lossis raug yuav moog ua tubki yaam tsi raug kev raug cai.

7. The child is receiving inadequate care during a period of time a parent is missing, in jail, hospitalized, or institutionalized.

Tug mivnyuas tsi tau kev saibxyuas tsimnyog rua lub sijhawm kws namtxiv pluj lawd, raug nyob nkuaj, moog khumob, lossis raug moog txhim khu lawm.

8. The child may sign a petition requesting the court to take action, if the child is at least 12 years old and needs special treatment or care which the parent, guardian, or legal custodian is unwilling, neglecting, unable, or needs assistance to provide.

Tug mivnyuas yuav muaj cai suamnpe rua dlam ntawv thov tsev txavtxim kuas saibxyuas, yog tas tug mivnyuas muaj noobnyoog 12 xyos lawm hab yuav tsum tau kev paab tshwjxeeb lossis paab saibxyuas yaam kws namtxiv, tug tsomkwm, lossis tug raug tso cai saibxyuas xwbtim tsi muab, tsi saibxyuas, tsi muaj peevxwm, lossis muaj kev xaav tau kev paabcuam.

9. The child's parent, guardian, or legal custodian neglects, refuses, or is unable for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.

Tug mivnyuas leej nam leej txiv, tug tsomkwm, lossis tug raug tso cai saibxyuas tsis saibxyuas, tsis kaam, lossis tsis muaj peevxwm, kws tsi yog tim kev txomnyem, lug pub kev saibxyuas, kev noj haus, khaubduag naav, kuab tshuaj lossis tu ncauj nav

lossis chaw nyob es ua rua tug mivnyuas tau lub chaw ti rua saab kev nojqaab haushuv.

10. The child's parent, guardian, or legal custodian is at substantial risk of neglecting, refusing, or being unable for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child, based on reliable and credible information that the child's parent, guardian, or legal custodian has neglected another child in the home.

Tug mivnyuas leej nam leej txiv, tug tsomkwm, lossis tug raug tso cai saibxyuas tsi muaj cuabkaav yuav saibxyuas, tsis kaam, lossis tsi muaj peevxwm, kws tsi yog tim kev txomnyem, lug saib lug tu, pub noj pub haus, khaubdluag naav, kuab tshuaj lossis tu ncauj nav, lossis chaw nyob es ua rua tug mivnyuas tau lub chaw ti rua saab kev nojqaab haushuv, lawv le tej lug kws tau nov lawm tas tug mivnyuas leej nam leej txiv, tug tsomkwm, lossis tug raug tso cai saibxyuas tau tsis saibxyuas lwmtug mivnyuas huv lub tsev lug lawm.

11. The child is suffering from emotional damage which the parent, guardian, or legal custodian has neglected, refused, or been unable, for reasons other than poverty, to obtain necessary treatment or to take necessary steps to ameliorate the symptoms.

Tug mivnyuas raug kev txhawjxeeb vim namtxiv, tus tsomkwm, lossis tug raug tso cai saibxyuas tsis ntaabntw txug, tsis kaam, lossis tsis muaj peevxwm, kws tsi yog tim kev txomnyem, muab kev paab lossis nrhav hauvkev lug khu qhov kev txhawjxeeb ntawd.

12. The child is suffering from alcohol and other drug abuse impairment, exhibited to a severe degree, for which the parent, guardian or legal custodian is neglecting, refusing or unable to provide treatment.

Tug mivnyuas raug mob lug ntawm kev siv dlejcawv hab lwmyaam teebmeem yeebtshuaj, qha pum tas qaug tshuaj nyaav heev, kws yog namtxiv, tug tsomkwm, lossis tug raug tso cai saibxyuas tsi quavntsej, tsi kaam lossis tsi muaj peevxwm paab khu tau lawm.

13. The child has not been immunized.

Tug mivnyuas tsi tau moog txhaajtshuaj tivthaiv kaabmob.

Under §938.13, Wis. Stats., there are other specific grounds for finding a child in need of protection or services as follows:

Huv xeev Wisconsin txuj cai ss938.13, Wis. Stats., has meej txug tej cai kws qha tas tug mivnyuas yuav tsum tau kev tivthaiv lossis paabcuam le nuav:

1. The child's parent or guardian may sign a petition requesting that the court provide services because they are unable or need assistance to control the child.

Tug mivnyuas leej nam leej txiv lossis tug tsomkwm muaj cai sau ntawv thov kuas tsev txavtxim paab vim puab tsi muaj peevxwm lossis xaav tau kev paab tswj tug mivnyuas.

2. The child is habitually truant from school.

Tug mivnyuas xij pheej moog kawmntawv tsi cuag ncua.

3. The child is a school dropout.

Tug mivnyuas tawm tsi moog kawmntawv lawm.

4. The child is habitually truant from home and either the child, parent, or relative in whose home the child resides signs a petition requesting that the court take action to provide services and testifies in court that reconciliation efforts have been attempted and have failed.

Tug mivnyuas tu ncua tsi lug tsev hab tsi has tug mivnyuas, niamtxiv, lossis tug txheebze kws tug mivnyuas nrug nyob los xij, suamnpe sau ntawv thov kuas tsev txavtxim ca le paab hab tau leeg lug timkhawv huv tsev txavtxim has tas yeej muaj txhimkhu txaus lawm tabsis tseem ua tsi tau le sab xaav hab.

5. The child is less than 10 years of age and has committed a delinquent act.

Tug mivnyuas muaj noobnyoog yau tshaaj 10 xyoo hab tau ua txhum cai.

6. The child has been determined to be not responsible for a delinquent act by reason of mental disease or defect or has been determined not to be competent to stand trial.

Tau pum tas tug mivnyuas tsi muaj feemxyuam rua tej kws tau ua txhum cai ntawd vim yog nwg zoo tsi tsheej lossis puag cev lossis tsi meej pem rua qhov kws yuav moog has tau rooj plaub.

CAN AN UNBORN CHILD BE FOUND TO BE IN NEED OF PROTECTION OR SERVICES?

TUG MIVNYUAS KWS TSI TAU YUG PUAS MUAJ CAI TAU KEV TIVTHAIV LOSSIS PAABCUAM?

Yes. Under §48.133, Wis. Stats., the court may find that the expectant mother habitually lacks self-control in the use of alcoholic beverages, controlled substances, or controlled substance analogs, exhibited to a severe degree, to the extent that there is a substantial risk that the physical health of the unborn child, and of the child when born, will be seriously affected or endangered unless the expectant mother receives prompt and adequate treatment for that habitual lack of self-control.

Muaj. Nyob huv ss48.133, Wis. Stats., tsev txavtxim muaj cai yuav pum tas leej nam kws taabtom suabtub muaj tug cwjpw m kws tswj tsis tau tus kheej vim kev siv dlejcawv, yeebtshuaj, lossis tej yaam kws siv le yeebtshuaj, qha pum tas tau siv nyaav heev, txug qhov kws pum tau tas yuav tsi zoo rua tug mivnyuas huv plaab, hab thaus yug lug, yuav tsi zoo rua tug mivnyuas tsuas tshwj tas leej nam yuav tsum tau kev paab rua qhov kws nwg tswj tsis tau tug kheej ntawd.

WHAT IS THE MEANING OF ABUSE? LUB NTSABLUG NTAWM KEV TSIM YOG LECAAS?

Under Wisconsin law, abuse means inflicting a physical injury upon a child by other than accidental means. It also means having improper sexual contact with the child by someone who is responsible for the care of the child. Examples of physical injuries include cuts that bleed, fractured bones, burns, severe or frequent bruising, internal injuries, or other more serious injuries such as those causing a risk of death, permanent disfigurement, or loss of the use of the arm or leg.

Huv Wisconsin txuj cai, tsimtxom yog kev ua kuas raug mob rua tug mivnyuas kws tsi yog yuam teg yuam taw raug. Nws tseem has ntxiv tas yog kev tuav kov tug mivnyuas rua qhov tsi tsimnyog lug ntawm tug tuabneeg zuv mivnyuas hab. Tej yaam kws qha tas raug mob lawm yog xwsle to lug ntshav, luv txhaa, kubnyab, nqaj dloog, raug mob huv nruabnrog cev, lwm yaam kws ua rua mob heev xwsle muaj feem ua rua pluj tuag taug, ua rua lub cev puag moog le, lossis ua rua puag teg puag taw.

WHEN DOES DISCIPLINE BECOME CHILD ABUSE? THAUS TWG ES KEV QHUABQHA TXHAJ LE DLHAU MOOG UA KEV TSIMTXOM?

Physical discipline of a child is permitted in Wisconsin. However, when discipline causes a physical injury to the child as indicated above, it becomes abuse. Generally speaking, punching a child with a fist, striking a child with an object, or kicking a child runs a high risk of causing a physical injury.

Kev xuas nplawm qhuabqha kuj raug tsocai huv xeev Wisconsin hab. Tabsis, thauss kws qhuabqha ua rua cev nqaj dlaim tawv raug mob le tau has sau toj nuav lawd, nwg dlhau moog ua kev tsimtxom lawm. Yog has rua qhov dlaav, ces kev kws xuas nrig ntaus mivnyuas, xuas ib yaam dlaabtsi ntaus mivnyuas, lossis xuas ncawstaw rua mivnyuas muaj feem kws ua rua mivnyuas raug mob.

IS IT NEGLECT TO LEAVE A CHILD HOME ALONE? TSO MIVNYUAS YAU NYOB TSEV PUAS YOG TSI NTAABNTW?

The answer to this question depends on the age of the child or children involved. It can be neglect to leave a child home alone if it is determined that the physical health of the child is seriously endangered.

Qhov nuav nwg nyob rua ntawm saib tug mivnyuas muaj pestsawg xyoo. Yuav has tau tas yog tsi ntaabntw mivnyuas thauss pum tas tso mivnyuas nyob ib leeg es muaj feem yuav raug mob taug.

**WHY CAN A CHILD BE FOUND IN NEED OF PROTECTION OR SERVICES BECAUSE HE OR SHE DOES NOT GO TO SCHOOL?
VIM LECAAS TXHAJ HAS TAS TUG MIVNYUAS YUAV TSUM TAU KEV TIVTHAIV LOSSIS PAABCUAM RUA QHOV KWS NWG TSI M00G KAWMNTAWV?**

Under Wisconsin law, parents are responsible for seeing to it that the children attend school until they are 18 years old. If a child is not in school, a court may place a child outside of the parental home with people who will see to it that school attendance is enforced.

Huv Wisconsin txuj cai, namtxiv muaj feemxyuam saibxyuas mivnyuas moog kawmntawv txug thaus puab muaj noobnyoog 18 xyoo. Yog mivnyuas tsi moog kawmntawv, tsev txavtxim yuav rhu tug mivnyuas tawm huv namtxiv tsev moog nrug lwmtug kws yuav has tau nwg moog kawmntawv nyob.

**WHAT IS THE DIFFERENCE BETWEEN CHIPS, JIPS, AND A DELINQUENCY CASE?
CHIPS, JIPS, HAB DELINQUENCY CASE (COV MIVYUAS UA YUAM CAI) TXAWV LECAAS?**

CHIPS and JIPS are designed for the purpose of protecting children from abuse and neglect and to provide services to children with special needs. Delinquency cases seek, in some measure, to punish a child for committing a crime, to provide restitution for victims, and to provide services and supervision to the child to prevent the criminal behavior from happening again.

CHIPS hab JIPS yog npaaj lug tivthaiv mivnyuas kuas xob raug tsimtxom hab tsi ntaabntw txug hab muab kev paabcuam rua cov kws yuav tsum tau kev paab tshwjxeeb. Txuj cai ho yuav teemtxim rua tug mivnyuas kws moog ua txhum cai, ua le nuav lug txhaws cov kws raug puamtsuaj (victim) ntawd, hab pub kev paabcuam hab tsomkwm rua tug mivnyuas kuas xob moog ua txhum ntxiv lawm.

**WHAT ARE THE OPTIONS AVAILABLE TO THE COURT IF A CHILD IS FOUND IN NEED OF PROTECTION OR SERVICES?
TSEV TSWJ CAI YUAV UA CAAS YOG PUM TAS MUAJ IB TUG MIVNYUAS TWG YUAV TSUM TAU KEV TIVTHAIV LOSSIS PAABCUAM?**

The court has several options. If the court finds that the parents can learn how to properly care for their child, the court can leave the child in the parental home. If the court finds that the parents are unlikely to cooperate with the department of social services, the court can remove the child from the parental home. If a child is placed outside of the parental home, the child can be placed with relatives, in foster care, treatment foster care, or residential treatment. Regardless of where the child is placed, the court can order children and adults to comply with an assessment for mental illness or drug or alcohol dependency. The court can order parents and children to meet with counselors and comply with a mental health or drug and alcohol treatment program. The court can order parents to attend educational classes about proper child care. The court can order parents and children to cooperate with social workers and parent aides who visit the

parents' home to observe and demonstrate proper child caring techniques. If the child is placed outside the home, the court will usually permit parents to visit the child under supervision by the department of social services.

Tsev txavtxim muaj cov hauvkev le nuav. Yog tsev txavtxim pum tas namtxiv muaj peevxwm cob tug mivnyuas, puab yuav ca mivnyuas nyob huv namtxiv tsev. Yog tsev txavtxim pum tas namtxiv yuav tsi koomteg nrug social services, puab yuav rhu tug mivnyuas tawm huv namtxiv tsev moog. Yog muaj ib tug mivnyuas twg raug rhu tawm huv namtxiv tsev lawd, tug mivnyuas muaj cai nrug cov txheebze nyob tau, nrug namtxiv qhuav nyob, nyob huv cov tsev namtxiv qhuav kws txhim khu mivnyuas, lossis nyob huv tej tsev txhim khu mivnyuas. Tug mivnyuas yuav nyob qhovtwg los xij, tsev txavtxim muaj cai has kuas cov mivnyuas hab cov laug ua lawv le tej kaabke kev ntsuamxyuas txug kev mob tsi meejpem lossis kev siv yeebtshuaj lossis dlejcauw. Tsev txavtxim muaj cai has kuas namtxiv hab mivnyuas moog ntsib kws cob ntuag hab ua lawv le cov txheejtxheem paab khu txuj kev xaav lossis thum yeebtshuaj hab dlejcauw. Tsev txavtxim muaj cai has kuas namtxiv moog kawm txug kev tu mivnyuas. Tsev txavtxim muaj cai has kuas namtxiv hab mivnyuas koomteg nrug rua social worker hab tug paab namtxiv kws pheej tuaj rua huv tsev tuaj paab saibxyuas hab qha txug kev tu mivnyuas. Yog tug mivnyuas raug rhu tawm huv namtxiv tsev, tsev txavtxim yuav tsocai rua namtxiv moog saib tug mivnyuas kws muaj department of social services ua tus coj.

IF A CHILD IS REMOVED FROM THE PARENTAL HOME, WILL THE CHILD BE RETURNED?

YOG TUG MIVNYUAS RAUG RHU TAWM HUV NAMTXIV TSEV, NWG PUAS YUAV TAU ROV LUG TSEV?

Wisconsin law requires that if a child is placed outside of a parental home, the court must set conditions for the parents and child to meet in order that the child be returned. Those conditions are cooperation with the kinds of services listed above. If the conditions are met, the court will order that the child be returned home.

Wisconsin txuj cai tseev kuas yog muaj ib tug mivnyuas raug rhu tawm huv namtxiv tsev, tsev txavtxim yuav tsum teeb qauv tseg rua namtxiv hab mivnyuas sisntsib has txug qhov kws tug mivnyuas tau rov lug tsev. Tej ntawd yog muaj le kws tau has lug sau toj nuav lawd. Yog ua tau lawv le has lawd, tsev txavtxim yuav has kuas coj tug mivnyuas rov lug tsev.

WHAT HAPPENS IF THE CONDITIONS ARE NOT MET?

YUAV UA LECAAG YOG UA TSIS TAU LE HAS TSEG LAWD?

US law requires that a petition for permanent termination of parental rights be filed with the court if a child has been placed outside of the parental home for 15 of the previous 22 months and conditions for return home have not been met.

Txuj cai tseev kuas sau ib dlaim ntawv tso tseg txuj cai ua leej nam leej txiv khaws tseg rua huv tsev txavtxim yog tas tug mivnyuas twb raug rhu tawm huv namtxiv tsev le 15 lub hlis ntawm 22 lub hlis dlhau lug lawd, hab tsi ua lawv le tej lug khom tseg txug qhov kws tso mivnyuas rov moog tsev ntawd.

**IN A CHIPS OR JIPS CASE, WHO IS ENTITLED TO AN ATTORNEY?
NYOB HUV CHIPS LOSSIS JIPS, LEEJTWG MUAJ CAI TAU KWS LIJCHOJ?**

In a CHIPS or JIPS case, the Marathon County Department of Social Services is represented by attorneys from the Office of Corporation Counsel or the District Attorney. If the child is less than 14 years of age, the child will be appointed an attorney called a guardian ad litem. It is the job of a guardian ad litem to advocate for the best interests of the child. If the child is older than 14, the child is entitled to an attorney to represent the wishes of the child. The Public Defender provides attorneys to represent the wishes of the child regardless of the income of the parents. Parents, guardians, or legal custodians are entitled to be represented by an attorney. However, they are not necessarily entitled to an attorney at public expense. The Public Defender's Office will not provide attorneys for parents, guardians, or legal custodians, in CHIPS or JIPS actions. If the court finds the parent, guardian, or legal custodian is unable to pay for an attorney, the court may appoint an attorney at county expense. However, the parent will usually be responsible for repaying the county for that attorney.

Nyob huv CHIPS lossis JIPS, Marathon County Department of Social Services raug sawvcev lug ntawm tug kws lijchoj kws tuaj huv Office of Corporation Counsel lossis tug Tswj Rooj Nas Cai (District Attorney). Yog tug mivnyuas muaj noobnyoog yau tshaaj 14 xyoos, luas yuav taw ib tug kws lijchoj lug sawvcev nwg kws hu ua guardian ad litem (ib tug kws lijchoj sawvcev cov mivnyuas yau). Nwg yog tug kws lijchoj nuav teg num lug paab nrhav qhov kws yuav zoo rua tug mivnyuas. Yog tug mivnyuas laug tshaaj 14 xyoos, nwg muaj cai tau ib tug kws lijchoj lug sawvcev nwg tugkheej le nwg sab xaav. Rooj kws lijchoj Public Defender tso tau kws lijchoj lug sawvcev tug mivnyuas yaam kws yuav tsi has txug namtxiv tej nyaj txag. Namtxiv, tug tsomkwm, lossis tug raug tso cai lug tsomkwm mivnyuas muaj feem tau ib tug kws lijchoj hab. Tabsis puab tsi cheemtsu kws tau ib tug kws lijchoj dlawb. Public Defender's Office yuav tsi paab kws lijchoj rua namtxiv, tug tsomkwm, lossis tug raug tso cai lug tsomkwm mivnyuas, thaus has txug CHIPS lossis JIPS cov haujlwm. Yog tsev txavtxim pum tas namtxiv, tug raug tsomkwm, lossis tug raug tso cai tsomkwm mivnyuas tsi muaj peevxwm them taug nqe kws lijchoj, tsev txavtxim muaj cai taw ib tug kws lijchoj kws raug county them lug paab. Tabsis, namtxiv txeev yuav tau raug them kws lijchoj le nqe rov rua county.

